



Neighborhood Notification

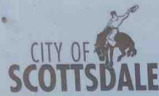
Open House Information

Citizen Comments

Affidavit of Posting

Site Sign

Legal Protest



City of Scottsdale
PUBLIC NOTICE

scan,
snap,
save



ZONING/PUBLIC HEARING

CITY HALL: 3939 North Drinkwater Boulevard

PLANNING COMMISSION: 5:00 P.M., 12/11/19

CITY COUNCIL: 5:00 P.M., 1/21/20

REQUEST: Rezone from (R1-70 ESL) and (R1-190 ESL) to Planned Community district, Environmentally Sensitive Lands (PCD ESL) zoning with comparable zoning of Single Family Residential (R1-43 and R1-18) and Open Space (OS) districts for a residential development.

CASE NUMBER: 6-ZN-2019

Project Location: south side of E. Rio Verde Drive, east of N. 136th Street

Applicant/Contact:

John Berry
480-385-2727
mh@berryriddell.com

City Contact:

Doris McClay
480-312-4214
dmccclay@ScottsdaleAZ.gov

Case File Available at City of Scottsdale 480-312-7767

Project information may be researched at: <https://eservices.scottsdaleaz.gov/bidgresources/Cases>

-Penalty for removing or defacing sign prior to date of last hearing -Applicant Responsible for Sign Removal

Posting Date: 11/21/19

12/30/19 08:18:49



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number: 6-ZN-2019

Project Name:

Location: South side of E. Rio Verde Drive, east of N. 136th Street

Site Posting Date: December 30th, 2019

Applicant Name: John Berry

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

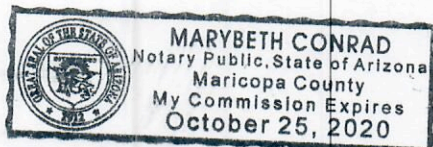
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

[Signature]
Applicant Signature

12/30/19
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 30th day of December 2019



[Signature]
Notary Public

My commission expires: 10-28-20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



CITIZEN REVIEW & NEIGHBORHOOD INVOLVEMENT REPORT

Fiesta Ranch

November 26, 2019

Overview

This Citizen Review Report is being performed in association with a request for a Zoning District Map Amendment to rezone from R1-70 ESL and R1-190 ESL to PCD ESL of an approximately 273+/- acre property located at the southwest corner of 136th Street and Rio Verde Drive. The proposed project would result in a master planned residential community with an overall density not to exceed 1 single-family residence per acre. This Citizen Review Report will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a positive relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling a list of impacted and interested stakeholders and neighborhood outreach began prior to the application filing and will also continue throughout the process. Communication with impacted and interested parties has taken place with verbal, written, electronic, and door-to-door contact.

Community Involvement

The outreach team has been communicating with neighboring property owners, HOA's, and community members by telephone, one-on-one meetings and door-to-door outreach since July of 2018. Members of the outreach team have continued to be available to meet with any neighbors who wish to discuss the project. Additionally, they will be contactable via telephone and/or e-mail to answer any questions relating to the project.

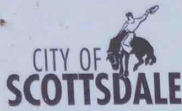
Surrounding property owners, HOAs and other interested parties were noticed via first class mail regarding the project. The distribution of this notification met the City's requirements as specified in the Citizen Review Checklist. This notification contained information about the project, as well as contact information. This contact person will continue to provide, as needed, additional information and the opportunity to give feedback. The notification also contained information regarding a neighborhood Open House that was held on October 15, 2018 at the Four Seasons Hotel for those who wished to learn more about the project. The location and time were posted on the Early Notification Sign.

Prior to the Neighborhood Open House, the development team met with a leadership group of neighbors who lived directly adjacent to the site. As a result of that input, the site plan was adjusted to respond to their concerns about roadway access and lot placement. 75 interested people attended the Open House. Attendees had questions about traffic and roadway access, density, lighting, open space, and water/sewage. These questions were addressed at the Open House and additional follow up happened with neighbors as site plan changes were made. Since the Open House, several neighbors have called with questions regarding timing of the project, roadway improvements, and the site plan changes. The development team has responded to all of those inquiries. The outreach team will continue to be available to respond to any neighbors who have questions or comments.

A vital part of the outreach process is to allow people to express their concerns and understand issues and attempt to address them in a professional and timely matter. Again, the entire team realizes the importance of the neighborhood involvement process and is committed to communication and outreach for the project.

ATTACHMENTS:

Notification Letter
Notification List
Affidavit of Posting
Sign-in sheets
Comment Cards



City of Scottsdale
PUBLIC NOTICE

scan,
snap,
save



ZONING/PUBLIC HEARING

CITY HALL: 3939 North Drinkwater Boulevard
PLANNING COMMISSION: 5:00 P.M., 12/11/19
CITY COUNCIL: 5:00 P.M., TBD

REQUEST: Rezone from (R1-70 ESL) and (R1-190 ESL) to Planned Community district, Environmentally Sensitive Lands (PCD ESL) zoning with comparable zoning of Single Family Residential (R1-43 and R1-18) and Open Space (OS) districts for a residential development.

CASE NUMBER: 6-ZN-2019

Project Location: south side of E. Rio Verde Drive, east of N. 136th Street

Applicant/Contact:
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City Contact:
Doris McClay
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dmccclay@ScottsdaleAZ.gov

Case File Available at City of Scottsdale 480-312-7767

Project information may be researched at: <https://eservices.scottsdaleaz.gov/bldgresources/Cases>

-Penalty for removing or defacing sign prior to date of last hearing -Applicant Responsible for Sign Removal

11/21/19 12:24:30
Deadline Date: 11/11/19



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number:

6-ZN-2019

Project Name:

Location:

South side of E. Rio Verde Drive, east of N. 136th Street

Site Posting Date:

November 21st, 2019

Applicant Name:

John Berry

Sign Company Name:

Dynamite Signs

Phone Number:

480-585-3031

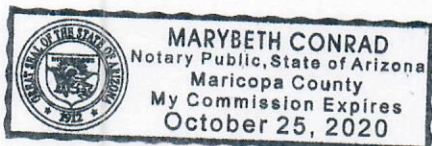
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

John Berry
Applicant Signature

11/21/19
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 21st day of November 2019



Marybeth Conrad
Notary Public

My commission expires: 10-25-20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☒ Project Under Consideration Sign (White)

☐ Public Hearing Notice Sign (Red)

Case Number: 576-PA-2018

Project Name: 136th Street & Rio Verde White Sign 576-PA-201818

Location: SEC of 136th Street & Rio Verde Drive

Site Posting Date: 10/05/2018

Applicant Name: John Berry

Sign Company Name: Scottsdale Sign A Rama

Phone Number: 480-994-4000

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Applicant Signature

10/11/2018
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 11th day of October 2018

Kimberly Martz
Notary Public

My commission expires: 4/3/22

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



October 4, 2018

Dear Neighbor:

We are pleased to tell you about an upcoming request (576-PA-2018) by the Lyle Anderson Company to create a master planned residential community located at the southeast corner of 136th Street and Rio Verde Drive. This request is for a Zoning District Map Amendment from R1-70 ESL and R1-190 ESL to PCD ESL with comparable zoning districts of R1-43 ESL, R1-35 ESL, R1-18 ESL and O-S ESL on a 273+/- acre parcel with a proposed overall density not to exceed 1 single-family detached residence per acre. This request is in conformance with the City of Scottsdale's Rural Neighborhoods General Plan land use designation.

You are invited to attend an open house to discuss this proposal. The open house will be held on Monday, October 15, 2018 from 5 p.m. to 6 p.m. in the Camelback Room of the Four Seasons Resort, located at 10600 E. Crescent Moon Drive.

If you have any questions, please contact the neighborhood outreach team at 602-957-3434 or info@technicalsolutionsaz.com. The City of Scottsdale Project Coordinator for the project is Doris McClay, who can be reached at 480-312-4214 or dmcclay@ScottsdaleAZ.gov.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Susan Bitter Smith". The signature is written in a cursive, flowing style.

Susan Bitter Smith
President



CITIZEN REVIEW & NEIGHBORHOOD INVOLVEMENT REPORT

Fiesta Ranch

March 12, 2019

Overview

This Citizen Review Report is being performed in association with a request for a Zoning District Map Amendment to rezone from R1-70 ESL and R1-190 ESL to PCD ESL of an approximately 273+/- acre property located at the southwest corner of 136th Street and Rio Verde Drive. The proposed project would result in a master planned residential community with an overall density not to exceed 1 single-family residence per acre. This Citizen Review Report will be updated throughout the process.

The entire project team is sensitive to the importance of neighborhood involvement and creating a positive relationship with property owners, residents, business owners, homeowners associations, and other interested parties. Communication with these parties will be ongoing throughout the process. Work on compiling a list of impacted and interested stakeholders and neighborhood outreach began prior to the application filing and will also continue throughout the process. Communication with impacted and interested parties has taken place with verbal, written, electronic, and door-to-door contact.

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Prior to the Neighborhood Open House, the development team met with a leadership group of neighbors who lived directly adjacent to the site. As a result of that input, the site plan was adjusted to respond to their concerns about roadway access and lot placement. 75 interested people attended the Open House. Attendees had questions about traffic and roadway access, density, lighting, open space, and water/sewage. These questions were addressed at the Open House and additional follow up happened with neighbors as site plan changes were made. The outreach team has continued to be available to respond to any neighbors who have questions or comments.

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ATTACHMENTS:

Notification Letter
Notification List
Affidavit of Posting
Sign-in sheets
Comment Cards

136th & Rio Verde Drive
 Neighborhood Meeting Sign-In Sheet
 Monday, October 15, 2018

First Name	Last Name	Street Address	City, State & Zip
Erik	Hillstrom	Morgan Taylor Homes	
Jon	IGER	QUAIL TRACK RD	SCOTTSDALE 85202
Teresa	Sullivan	12934 E Overton Way	Scottsdale
Beth	Taylor	28425 N. 139 th Place	Scottsdale
Mittett	Taylor	"	"
David + Ann	Wylch	13923 E Bayada Dr	Scottsdale
LEONARD P	PRILL	28209 N 139 th ST	SCOTTSDALE
Jeffrey	Mossor	27107 N 141 st St	Scottsdale
Alex	Kalpe	8501 E Princess	Scotts
CAROL + MIKE	70 TI	14016 E Villa Cassandra	Scotts
Rocky & TERRI BERUSTON		28905 N 139 th Place	SCOTTSDALE
BUD & MARILYN	FLECK	28512 N 141 st St	SCOTTSDALE
KAREN NABITY	NABITY	13730 E Covedale Dr	
Dave Gaidamavicius	Gaidamavicius	13605 E Whitehorn	Scottsdale
Ron Rosenberg	Rosenberg	27913 N 164 th St	Scottsdale
Eric	Repec	26909 W. 142nd Way	"
Len Schuck	Schuck	27615 N 137 th St	Scottsdale AZ
Nikki	Thorkelson	26811 N 137 th St	Scottsdale AZ
Jana West		28307 N 136 th	Sc AZ
TOM HEWITT			

136th & Rio Verde Drive
 Neighborhood Meeting Sign-In Sheet
 Monday, October 15, 2018

First Name	Last Name	Street Address	City, State & Zip
OITENBREIT	MARK	27107 N 141 st PL	Scottsdale
Karen	Fabritius	28507 N 139 th PL	Scottsdale
WALTER S	STONE	27516 N 137 th ST	SCOTTSDALE
Linda	von Gieding	14009 E Quail Tr Dr	Scottsdale 85262
GARY/GAIL	BAKER	28325 N 136 th ST	Scottsdale
Shawn	Sullivan	12934 E Oak Ln Way	Scottsdale
MIA	McKINLEY	14737 E. MARK LN.	SCOTT
Carolyn Lou Mastromatteo		27015 N 141 st St.	Scottsdale
Peg + Neal Kusner		13614 E. Whitetown Dr.	Scottsdale
GREG	Leshner	14009 E Quail Track Dr	Scottsdale
Keith Patterson	Patterson	27413 N 137 th St.	Scottsdale
Brion	Crum	28321 N. 154 th St	Scottsdale
Shauna Linda Robert	Robert	P.O. Box 25605	Scottsdale 85255
BUD LAKE	LAKE	26722 N. 142 PL	"
Steve Conners	Conners	13631 E Montezuma Way	"
SPIRIT	SPIROM	13912 East CAVERDALE	"
TERRY	Stacyk	13906 E. Montello Rd	" 85262
Timothy	Kelley	14015 E Desert Vista Trail	85262

136th & Rio Verde Drive
 Neighborhood Meeting Sign-In Sheet
 Monday, October 15, 2018

First Name	Last Name	Street Address	City, State & Zip
Michael B	BLACK	28215 N 139th Place	Scottsdale AZ
MAGNOLIA	SANDERS	31404 N. 166 th St	85262
NATALIE & Dennis	HARTUNIAN	27320 N. 144 th St	Scottsdale AZ 85262
Jim & Theresa	Shaw	27113 N 141st St	Scottsdale AZ 85262
Nicole	Manion	8501 E Princess Dr	Scottsdale
Mark	Dixon	26757 N. 132 nd St	Scottsdale
Brookie	Rizzo	13628 E. Whitethorn Ln	Scottsdale
Phil	Steife	27015 N 136 th St	Scottsdale 85262
Bonnie & Ron	Burke	266030 N. 162 nd St	Si " "
STEVEN	KELLER	14043 E. RED BIRD	" 85262
Shaunda	Ruckman	30915 N 138 th St.	" 85262
Donna	Rice	13631 E Monterra	Scottsdale 85262
Rhonda	Waldersen	14223 E. Peak View Rd	Scottsdale 85262
Dr. Russell	Barnes	13813 E. Quail Track Rd	Scottsdale AZ
Ges Definto	DeFinto	29617 N 146 th St	St AZ
Keith	Hollett	14006 E Red Bird Rd	Scotts 85262
John	Cunther	14037 E Red Bird Rd	Scotts 85262
Lisa	Kelley	14015 E Desert Vista Trl	85262
Kelley Cuda	Cuda	13619 E Peak View Rd	85262

136th & Rio Verde Drive

Neighborhood Meeting Sign-In Sheet

Monday, October 15, 2018

[illegible]

136th & Rio Verde Drive

Neighborhood Meeting Sign-In Sheet

Monday, October 15, 2018

[illegible]

INFORMATION

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.



COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company
through its Division

First American Title Insurance Company

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AGREEMENT TO ISSUE POLICY	on the following page
COMMITMENT DATE	Schedule A (Page 1)
POLICIES TO BE ISSUED, AMOUNTS AND PROPOSED INSURED	Schedule A (Page 1)
INTEREST IN THE LAND	Schedule A (Exhibit A)
DESCRIPTION OF THE LAND	on the following page
EXCEPTIONS - PART ONE	Schedule B (inside)
EXCEPTIONS - PART TWO	Schedule B (inside)
REQUIREMENTS (Standard)	on the third page
REQUIREMENTS (Continued)	Requirements (inside)
CONDITIONS	on the third page

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY

If you have any questions about the Commitment, contact:

First American Title Insurance Company National Commercial Services
2425 E. Camelback Road, Suite 300, Phoenix, AZ 85016

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under the Commitment is limited by the following:

The Provisions in Schedule A
The Requirements
The Exceptions in Schedule B - Parts 1 and 2
The Conditions

This Commitment is not valid without SCHEDULE A and Parts 1 and 2 of SCHEDULE B.

SCHEDULE B - EXCEPTIONS

Any Policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

Part One: (for use with 2006 ALTA policies)

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

Part One: (for use with 1992 and prior ALTA policies)

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.

Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; whether or not the aforementioned matters excepted are shown by the public records.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

Part One of Schedule B will be eliminated from any A.L.T.A. Extended Coverage Policy, A.L.T.A. Plain Language Policy and policies with EAGLE Protection added. However, the same or similar exception may be made in Schedule B of those policies in conformity with Schedule B, Part Two of this Commitment.

REQUIREMENTS (Standard)

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this commitment who will get interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

(Continued on Requirements Page)

CONDITIONS

1. DEFINITIONS

- (a) "Mortgage" means mortgage, deed of trust or other security instrument.
- (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements

or

eliminate with our written consent any Exceptions shown in Schedule B

We shall not be liable for more than the Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claims, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms

**First American Title
Insurance Company
National Commercial
Services**



**The First American
Corporation**

PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from public records or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our web site at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial services providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products and services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

**First American Title Insurance Company
National Commercial Services**

SCHEDULE A

Third Amended

ESCROW/CLOSING INQUIRIES should be directed to your Escrow Officer: **Colleen Stout at (602)567-8100**

Effective Date: **February 12, 2019** at 7:30 a.m.

1. Policy or (Policies) to be issued:

ALTA 2006 Extended Owner's Policy for \$1.00

Proposed Insured:
To Be Determined

2. The estate or interest in the land described or referred to in this commitment and covered herein is fee simple and title thereto is at the effective date hereof vested in:

Wildcat Ridge, L.L.C., an Arizona limited liability company

3. Title to the estate or interest in the land upon issuance of the policy shall be vested in:

To Be Determined

4. The land referred to in this Commitment is located in Maricopa County, AZ and is described as:

SEE EXHIBIT "A " ATTACHED HEREIN

Title officer: Mike S. Jones @ (602)567-8149/msjones@firstam.com.

Pages 1 through 5 of this document consist of the Title Insurance Commitment contract and our Privacy Policy.

EXHIBIT "A"

PARCEL NO. 1:

A PORTION OF SECTION 31, TOWNSHIP 5 NORTH RANGE 6 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 31;

THENCE SOUTH 89 DEGREES 59 MINUTES 35 SECONDS EAST (AN ASSUMED BEARING), ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1648.83 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE SOUTH 00 DEGREES 00 MINUTES 45 SECONDS WEST, A LONG THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 2639.62 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE;

THENCE SOUTH 00 DEGREES 01 MINUTES 02 SECONDS WEST, ALONG THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 660.10 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION;

THENCE SOUTH 89 DEGREES 57 MINUTES 21 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 31, A DISTANCE OF 1650.47 FEET TO A POINT ON THE NORTH-SOUTH MID-SECTION LINE;

THENCE SOUTH 89 DEGREES 58 MINUTES 31 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 1319.65 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER;

THENCE NORTH 00 DEGREES 02 MINUTES 37 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 660.22 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE;

THENCE SOUTH 89 DEGREES 58 MINUTES 00 SECONDS WEST A LONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 329.02 FEET TO A POINT ON THE WEST LINE OF THE EAST 329.02 FEET OF LOTS 1 AND 2 OF SAID SECTION;

THENCE NORTH 00 DEGREES 02 MINUTES 30 SECONDS EAST, ALONG SAID WEST LINE A DISTANCE OF 2641.74 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, A DISTANCE OF 1648.67 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 2:

LOT 1 OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST HALF THEREOF;

AND EXCEPT THE WEST 55 FEET THEREOF.

PARCEL NO. 3:

THE EAST HALF OF LOT 1, SECTION 31, TOWNSHIP 5 NORTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE EAST 329.02 FEET THEREOF.

**First American Title Insurance Company
National Commercial Services**

SCHEDULE B

PART TWO:

1. Reservations or Exceptions in Patents, or in Acts authorizing the issuance thereof.
2. Right of Way for roadway set forth in Patent to said land recorded in Docket 3538, Page 497

(Affects all Parcels)
3. This item has been intentionally deleted.
4. This item has been intentionally deleted.
5. An easement for roadway purposes and incidental purposes in the document recorded as Docket 4039, Page 399.

(Affects Parcel No. 2)
6. This item has been intentionally deleted.
7. An easement for ingress and egress and incidental purposes in the document recorded as Docket 14853, Page 531.

(Affects Parcel No. 1)
8. An easement for ingress, egress and municipal service and incidental purposes in the document recorded as 85-383765 of Official Records.

(Affects Parcel No. 1)
9. An easement for underground power and incidental purposes in the document recorded as 2001-0507261 of Official Records.

(Affects Parcel No. 1)
10. The terms and provisions contained in the document entitled "Settlement Agreement and Development Agreement with the City of Scottsdale" recorded as 2004-0442075 of Official Records.

(Affects all Parcels)
11. An easement for underground power and incidental purposes in the document recorded as 87-76501 of Official Records.

(Affects Parcel No. 3)

12. An easement for underground utilities and incidental purposes in the document recorded as 88-25029 of Official Records.

(Affects Parcel No. 2)

13. This item has been intentionally deleted.
14. An easement for temporary easement and incidental purposes in the document recorded as 2015-0173137 of Official Records.

(Affects Parcel No. 2)

15. All matters as set forth in Road Declared (Road File No. A392), recorded as 2008-0418687 of Official Records and recorded 2017-0408083 of Official Records

(Affects all Parcels)

16. This item has been intentionally deleted.
17. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by _AW Land Surveying, LLC on December 6, 2017, designated Job Number 17-104:
 - a.) Rights of others in and to dirt roads traversing the subject property
 - b.) 100' road right of way (East Rio Verde Drive) along north boundary
18. This item has been intentionally deleted.
19. Water rights, claims or title to water, whether or not shown by the public records.
20. Taxes for the year 2019, a lien not yet due and payable.

End of Schedule B

**First American Title Insurance Company
National Commercial Services**

REQUIREMENTS:

1. Compliance with A.R.S. 11-480 relative to all documents to be recorded in connection herewith. See note at end of this section for details.
2. All of 2018 taxes are paid in full.

NOTE: Taxes are assessed in the total amount of \$39.16 for the year 2018 under Assessor's Parcel No. 219-39-010P 0.

(Affects a Portion of Parcel No. 1)

NOTE: Taxes are assessed in the total amount of \$39.16 for the year 2018 under Assessor's Parcel No. 219-39-010U 2.

(Affects a Portion of Parcel No. 1)

NOTE: Taxes are assessed in the total amount of \$39.16 for the year 2018 under Assessor's Parcel No. 219-39-010V 1.

(Affects a Portion of Parcel No. 1)

NOTE: Taxes are assessed in the total amount of \$3.14 for the year 2018 under Assessor's Parcel No. 219-39-010G 1.

(Affects a Portion of Parcel No. 1)

NOTE: Taxes are assessed in the total amount of \$9.12 for the year 2018 under Assessor's Parcel No. 219-39-010M 2.

(Affects Parcel No. 2)

NOTE: Taxes are assessed in the total amount of \$4.98 for the year 2018 under Assessor's Parcel No. 219-39-010N 1.

(Affects Parcel No. 3)

3. Furnish Plat of Survey of the subject property by a Registered Land Surveyor in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" which became effective February 23, 2016. Said Plat of survey shall include the required certification and, at a minimum, also have shown thereon Items 1, 8, 11, 16, 17, and 19 from Table A thereof. If zoning assurances are requested, Items 7(a), 7(b), 7(c) and 9 from Table A and information regarding the usage of the property must be included.

NOTE: If a Zoning Endorsement is requested, Items 7(a), 7(b) and 7(c) of Table A will also be required. If "parking" is to be added to the endorsement, the number and type of parking spaces must be shown on the survey. Property use information must also be provided to First American Title Insurance Company. **REQUIREMENT SATISFIED**

4. Furnish copies of any existing leases affecting the within described property and insertion of said leases in Schedule B of the Policy of Title Insurance.
5. Furnish a copy of the Articles of Organization, stamped "filed" by the Arizona Corporation Commission; a fully executed copy of the Operating Agreement, and any amendments thereto; and a list of the current members of Wildcat Ridge, LLC., a limited liability company.
6. Furnish a copy of the Articles of Organization, stamped "filed" by the Arizona Corporation Commission; a fully executed copy of the Operating Agreement, and any amendments thereto; and a list of the current members of Sonoran Peaks, L.L.C., a limited liability company.
7. Furnish the names of parties to be insured herein and disposition of any matters disclosed thereby.
8. Record Warranty Deed from Wildcat Ridge, L.L.C., an Arizona limited liability company to Sonoran Peaks, L.L.C., an Arizona limited liability company.
9. Record Warranty Deed from Sonoran Peaks, L.L.C., an Arizona limited liability company to Buyer(s).

NOTE: If this will be other than a Cash Transaction, notify the title department prior to close and additional requirements will be made.

10. Such further requirements as may be necessary after completion of the above.
11. Return to title department for final recheck before recording.

NOTE: In connection with Arizona Revised Statutes 11-480, as of January 1, 1991, the County Recorder may not accept documents for recording that do not comply with the following:

- a. Print must be ten-point type or larger.
- b. A margin of two inches at the top of the first page for recording and return address information and margins of one-half inch along other borders of every page.
- c. Each instrument shall be no larger than 8-1/2 inches in width and 14 inches in length.

DISCLOSURE NOTE: In the event any Affidavit required pursuant to A.R.S.¹ 33-422 has been, or will be, recorded pertaining to the land, such Affidavit is not reflected in this Commitment nor will it be shown in any policy to be issued in connection with this Commitment. The statute applies only to unsubdivided land in an unincorporated area of a county.

NOTE: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

End of Requirements

Early Notification of Project Under Consideration

Neighborhood Open House Meeting

Date: Monday, October 15, 2018

Time: 5:00pm – 8:00pm

Location: Four Seasons Resort (10600 E. Crescent Moon Drive)– Camelback Room

Site Address: SEC of 136th street & Rio Verde Drive

Project Overview:

- Request: This request is for a Zoning District Map Amendment from R1-70 ESL and R1-190 ESL to PCD ESL with comparable zoning districts of R1-43 ESL, R1-35 ESL, R1-18 ESL and O-S ESL on a 273+/- acre parcel with a proposed overall density not to exceed 1 single-family detached residence per acre.
- Acreage: 273 +/- Acres
- Current Zoning: R1-70 ESL & R1-190 ESL

Applicants Contact: John Berry

Phone number: 480-385-2727

Email: MH@BerryRiddell.com

Pre-Application #: 576-PA-2018

Project information may be researched at: <http://services.scottsdaleaz.gov/bidresources/PreApp/Search>

Posting Date: 10/5/2018

City Contacts: Doris McClay

Phone number: 480-312-4214

Email: dmcclay@ScottsdaleAZ.gov

Available at The City of Scottsdale: 480-312-7000

Penalty for removing or defacing sign prior to date of last hearing
Applicant Responsible for Sign Removal

10/05/2018